# 1NC

## FW 1NC

#### The affirmative should defend a topical action by the United States federal government.

#### Statutory is limits by legislation

Black's Law 6 Black's Law Dictionary Free Online Legal Dictionary 2nd Ed. 2006 http://thelawdictionary.org/statutory-restriction/

What is STATUTORY RESTRICTION?

Limits or controls that have been place on activities by its ruling legislation.

Judicial is by court or judge

Dean's Law Dictionary 12 <http://www.lawdictionaryonline.com/home_search.php>

Judicial:

adj. Of, relating to, or by the court or a judge. Pertaining or appropriate to courts of justice, or to a judge; practiced or conformed to in the administration of justice; sanctioned or ordered by a court; as, judicial power; judicial proceedings; a judicial sale. Fitted or apt for judging or de....

#### Most predictable—the agent and verb indicate a debate about hypothetical government action

Jon M Ericson 3, Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb should—the first part of a verb phrase that urges action. 3. An action verb to follow should in the should-verb combination. For example, should adopt here means to put a program or policy into action through governmental means. 4. A specification of directions or a limitation of the action desired. The phrase free trade, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the affirmative side in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

#### A general subject isn’t enough—debate requires a specific point of difference

Steinberg & Freeley 8 \*Austin J. Freeley is a Boston based attorney who focuses on criminal, personal injury and civil rights law, AND \*\*David L. Steinberg , Lecturer of Communication Studies @ U Miami, Argumentation and Debate: Critical Thinking for Reasoned Decision Making pp45-

Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. Vague understanding results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007.¶ Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education without finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference.¶ To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose.¶ Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by focus on a particular point of difference, which will be outlined in the following discussion.

#### Vote neg—they undermine debate’s transformative potential—

#### 1. Preparation and clash—changing the topic after the fact manipulates balance of prep, which structurally favors the aff because they speak last and permute alternatives—strategic fairness is key to engaging a well-prepared opponent

#### The impact outweighs—deliberative debate models impart skills vital to respond to existential threats

Christian O. Lundberg 10 Professor of Communications @ University of North Carolina, Chapel Hill, “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p. 311

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But the democratic capacities built by debate are not limited to speech—as indicated earlier, debate builds capacity for critical thinking, analysis of public claims, informed decision making, and better public judgment. If the picture of modem political life that underwrites this critique of debate is a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid scientific and technological change outpacing the capacities of the citizenry to comprehend them, and ever-expanding insular special-interest- and money-driven politics, it is a puzzling solution, at best, to argue that these conditions warrant giving up on debate. If democracy is open to rearticulation, it is open to rearticulation precisely because as the challenges of modern political life proliferate, the citizenry's capacities can change, which is one of the primary reasons that theorists of democracy such as Ocwey in The Public awl Its Problems place such a high premium on education (Dewey 1988,63, 154). Debate provides an indispensible form of education in the modem articulation of democracy because it builds precisely the skills that allow the citizenry to research and be informed about policy decisions that impact them, to sort through and evaluate the evidence for and relative merits of arguments for and against a policy in an increasingly information-rich environment, and to prioritize their time and political energies toward policies that matter the most to them.

The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy. John Larkin (2005, HO) argues that one of the primary failings of modern colleges and universities is that they have not changed curriculum to match with the challenges of a new information environment. This is a problem for the course of academic study in our current context, but perhaps more important, argues Larkin, for the future of a citizenry that will need to make evaluative choices against an increasingly complex and multimediated information environment (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources:

To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that it did not matter which topic students had been assigned . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144)

Larkin's study substantiates Thomas Worthcn and Gaylcn Pack's (1992, 3) claim that debate in the college classroom plays a critical role in fostering the kind of problem-solving skills demanded by the increasingly rich media and information environment of modernity. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials.

There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, the evidence presented here warrants strong support for expanding debate practice in the classroom as a technology for enhancing democratic deliberative capacities. The unique combination of critical thinking skills, research and information processing skills, oral communication skills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a crucial component of a rich and vital democratic life. In-class debate practice both aids students in achieving the best goals of college and university education, and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of meaningful political engagement and new articulations of democratic life.

Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to produce revisions of democratic life that are necessary if democracy is not only to survive, but to thrive. Democracy faces a myriad of challenges, including: domestic and international issues of class, gender, and racial justice; wholesale environmental destruction and the potential for rapid climate change; emerging threats to international stability in the form of terrorism, intervention and new possibilities for great power conflict; and increasing challenges of rapid globalization including an increasingly volatile global economic structure. More than any specific policy or proposal, an informed and active citizenry that deliberates with greater skill and sensitivity provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with the existential challenges to democracy [in an] increasingly complex world.

#### Academic debate over policy issues like the response to War Powers is critical to improve policymaking---the K’s abstractions cedes the political

Stephen M. Walt 11, Professor of International Affairs at Harvard’s John F. Kennedy School of Government, July 21, “International Affairs and the Public Sphere”, http://publicsphere.ssrc.org/walt-international-affairs-and-the-public-sphere/

Academics can make at least three distinct contributions to public discourse on global affairs. First, although the digital revolution has made a wealth of information from around the world accessible on a near real-time basis, most of us still lack both extensive direct data on events in far-flung areas and the background knowledge necessary to understand what new developments mean. If our town’s school district is troubled or the local economy is suffering, we can observe that for ourselves and make reasonably well-informed judgments about what might be done about it. But if the issue is the war in Afghanistan, an uprising in Yemen, a naval confrontation in the South China Sea or the prospects that some battered economy will be bailed out successfully, most of us will lack the factual knowledge or conceptual understanding to know what is really going on. Even when basic information is readily available, it may be hard for most of us to put it in the appropriate context or make sense of what it means. ¶ When citizens and leaders seek to grasp the dizzying complexity of modern world politics, therefore, they must inevitably rely upon the knowledge and insights of specialists in military affairs, global trade and finance, diplomatic/international historians, area experts, and many others. And that means relying at least in part on academic scholars who have devoted their careers to mastering various aspects of world affairs and whose professional stature has been established through the usual procedures of academic evaluation (e.g., peer review, confidential assessments by senior scholars, the give-and-take of scholarly debate, etc.). ¶ Second, and more importantly, an independent academic community is an essential counterweight to official efforts to shape public understanding of key foreign policy issues. Governments enjoy enormous information asymmetries in many areas of political life, but these advantages are especially pronounced when dealing with international affairs.[5] Much of what we know about the outside world is ultimately derived from government sources (especially when dealing with national security affairs), and public officials often go to considerable lengths to shape how that information is reported to the public. Not only do governments collect vast amounts of information about the outside world, but they routinely use secrecy laws to control public access to this information. Government officials can shape public beliefs by leaking information strategically, or by co-opting sympathetic journalists whose professional success depends in part on maintaining access to key officials.[6] Given these information asymmetries and their obvious interest in retaining public support for their preferred policies, it is hardly surprising that both democratic and non-democratic leaders use their privileged access to information to build support for specific policies, at times by telling outright lies to their own citizens.[7] ¶ This situation creates few problems when the policies being sold make good strategic sense, but the results can be disastrous when they don’t. In such cases, alternative voices are needed to challenge conventional wisdoms and official rationales, and to suggest different solutions to the problem(s) at hand. Because scholars are protected by tenure and cherish the principle of academic freedom, and because they are not directly dependent on government support for their livelihoods, they are uniquely positioned to challenge prevailing narratives and policy rationales and to bring their knowledge and training to bear on vital policy issues. If we believe that unfettered debate helps expose errors and correct missteps, thereby fostering more effective public policies, then a sophisticated, diverse and engaged scholarly community is essential to a healthy polity. ¶ Third, the scholarly world also offers a potentially valuable model of constructive political disagreement. Political discourse in many countries (and especially the United States) has become increasingly personal and ad hominem, with little attention paid to facts and logic; a trend reinforced by an increasingly competitive and loosely regulated media environment. Within academia, by contrast, even intense disputes are supposed to be conducted in accordance with established canons of logic and evidence. Ad hominem attacks and other forms of character assassination have no place in scholarly discourse and are more likely to discredit those who employ them than those who are attacked. By bringing the norms of academic discourse into the public sphere, academic scholars could help restore some of the civility that has been lost in recent years. ¶ For all of these reasons, it is highly desirable for university-based scholars to play a significant role in public discourse about key real-world issues and to engage directly with policymakers where appropriate. As I have argued elsewhere, academic research can provide policymakers with relevant factual knowledge, provide typologies and frameworks that help policymakers and citizens make sense of emerging trends, and create and test theories that leaders can use to choose among different policy instruments. Academic theories can also be useful when they help policymakers anticipate events, when they identify recurring tendencies or obstacles to success, and when they facilitate the formulation of policy alternatives and the identification of benchmarks that can guide policy evaluation. Because academic scholars are free from daily responsibility for managing public affairs, they are in an ideal position to develop new concepts and theories to help us understand a complex and changing world.[8] ¶ The picture sketched here is obviously something of an ideal type, and I am not suggesting that that the academic world consistently lives up to these expectations. As noted above, university-based scholars of international affairs—and especially the disciplines of political science and history—have increasingly focused on narrow and arcane topics and are contributing less and less to policy formation or public discourse.[9] And when academics do address topics of obvious policy relevance or public interest, the results are often presented in impenetrable, jargon-ridden prose and disseminated in venues that neither policymakers nor the public are likely to read. Even when scholars have something useful to say, in short, their tendency to “speaking in tongues” diminishes their impact on the public sphere**.** ¶Why Is There a Gap between Academia and the Public Sphere?¶ To some degree, the gap between the ivory tower and the world of policy arises because the two spheres have different agendas and operate under different incentives and constraints. Academics focus on developing generalizations and testing conjectures as rigorously as possible, while policymakers and the public are often preoccupied with individual cases (i.e., whatever is in the headlines or in a policymaker’s in-tray). Thus, scholars are delighted whenever they identify a powerful general tendency, but policymakers may be more interested in figuring out how to overcome that general tendency or worried that the case at hand might be an exception to it. Academics strive to make their work as accurate as possible, even if this takes more time, but policymakers cannot always wait until a complete analysis is possible.[10] To take a recent example, policymakers in the Obama administration had to respond to the 2011 “Arab Spring” long before anyone fully understood what was driving these events or where they might lead. Given these different agendas, it is not surprising that policymakers often find academic scholarship to be of less value than the scholars who produce it might wish.

## Drones DA

#### The U.S. is committed to counterterrorism – absent drones they would find alternatives

Wittes and Singh 12

Benjamin Wittes Senior Fellow in Governance Studies at the Brookings Institution, where he is the Research Director in Public Law, and Co-Director of the Harvard Law School - Brookings Project on Law and Security, and Ritika Singh project coordinator at the Brookings Institution where she focuses on national security law and policy, 1/24/12, “The Droneless Counterfactual”, http://www.cato-unbound.org/2012/01/24/benjamin-wittes-ritika-singh/droneless-counterfactual //jchen

Cortright’s example, the use of drones along the Afghanistan-Pakistan border, is a case in point. He notes Defense Secretary Panetta’s argument that drones are the “only game in town” and explains why this is: They are more precise than conventional air strikes, and “Ground operations by commando units … would entail severe risks to our troops” (emphasis added). The result is that the availability of drones creates a military option where none would otherwise exist.

Just to be clear, I prefer that American troops be deployed with a minimum of “severe risks.” And Cortright’s confidence that absent drones, policymakers would not perceive “severe risks to our troops” as risks worth taking to confront al Qaeda seems misplaced to me. One cannot assume that because major troop commitments are politically unthinkable given the availability of lesser uses of force that they would be similarly unthinkable in the absence of these alternative military means. Cortright assumes that absent drones, the United States would simply not be engaged militarily in Pakistan. His assumption is naive. Absent drones, American involvement in Pakistan would probably be militarily messier, greater, and bloodier on both sides. It is a mistake that colors his entire argument.

#### The alternatives are bombs and cruise missiles – drastically increases civilian casualties

The News Tribune 13

The News Tribune, “Drones: Wise, maybe; constitutional, certainly”, 2/17/13, http://www.thenewstribune.com/2013/02/17/2478932/drones-wise-maybe-constitutional.html //jchen

The realistic alternative to drone strikes include kidnapping – something many of the same critics condemn – and conventional air strikes.

Bombs and cruise missiles are far less humane than Predators, though, when targeting enemies who deliberately hide themselves among civilians. By all accounts, drones – which can linger in the air until the target is reasonably identified and isolated – have drastically reduced the deaths of innocent bystanders.

#### Taliban controlled areas are in extreme suffering –drone strikes are better than just letting the Taliban do what they like

Taj 10

Farhat Taj, PhD research fellow at the Centre for Interdisciplinary Gender Research, University of Oslo, Norway and Aryana Institute for Regional Research and Advocacy, AIRRA, Islamabad, Pakistan, well-known newspaper columnist in Pakistan and director of the documentary film Waziristan A Culture Under Attack, 9/17/10, “The year of the drone misinformation”, Small Wars & Insurgencies, 21:3, 529-535, http://www.tandfonline.com/doi/pdf/10.1080/09592318.2010.505486 //jchen

4. Civilian casualties: the tribal realism

I have had dozens of opportunities to discuss with many people of FATA – men, women, educated, illiterate, rich and poor – the issue of the ‘civilian casualties’ in drone attacks. The crux of the discussions is as follows. Taliban and Al-Qaeda have overpowered the people of FATA, who are suffering under the militants’ control. The Taliban’s control has to be broken. There is no question about that. The question is how? One approach is that of the Pakistan army: hundreds of civilians killed,4 public and property worth millions of dollars destroyed,5 and hundreds of thousands of people displaced and not even a single leading Taliban commander killed! The other is the way is the US use of drones: no displacement of the population, no damage to public or private property, almost no civilian casualties and tens of leading Al-Qaeda and Taliban leaders killed. The local people obviously prefer the latter. They point out that civilians are rarely killed in drone attacks. One occasion on which some civilians were killed was a drone attack on the funeral procession of Khwazh Wali, a commander of Tehrek-e-Taliban Pakistan (TTP). In that attack too, many TTP militants were killed including Bilal (the TTP commander of the Zangara area in Waziristan) and two Arab members of Al-Qaeda. But some civilians were also killed. After the attack, the local people used it as an excuse not to attend the funerals of slain TTP militants or offer them food, which they used to do out of compulsion in order to put themselves in the TTP’s good books. ‘It (this drone attack) was a blessing in disguise,’ several people commented. People in Waziristan have conﬁrmed that women and children of the Taliban and Al-Qaeda have been dying in the drone attacks. But they also emphasize that that too used to happen in the past. Now the terrorists don’t hold meetings at places where women and children of the Al-Qaeda and Taliban militants reside. Moreover, in this case too no one is in a position to give even an approximate number of the women and children of the terrorists killed in drone attacks. The people, however, do not rule out the possibility that more children and women of the terrorists may be killed in future attacks. But they put a very realistic perspective on this possibility. ‘This is war, not game and in wars innocent people do die’, they argue. The options available to the people of FATA are harsh. Either they condemn the drone attacks for the sake of women and children of the militants and let them continue to slaughter the tribal people, including women and children, or they ignore the deaths among the militants’ families and welcome the attacks in the hope of their release from the Taliban and Al-Qaeda’s control of their land. Most people of FATA go for the latter.

## Case

### Drones

#### 2. We See victims in more detail

Caryl 11

Christian Caryl, senior fellow at the Legatum Institute, a contributing editor at Foreign Policy, and a senior fellow at the MIT Center for International Studies, “Predators and Robots at War”, 9/29/11, http://www.nybooks.com/articles/archives/2011/sep/29/predators-and-robots-war/ //jchen

Most of us have probably heard by now how extraordinary this technology is. Many of the UAV strikes in South Asia are actually orchestrated by operators sitting at consoles in the United States. US Air Force Colonel Matt Martin gives a unique first-person account of the strange split consciousness of this new type of warfare in his book Predator. Even as his body occupies a seat in a control room in Nellis Air Force Base in Nevada, his mind is far removed, following a suspicious SUV down a desert road in Iraq or tailing Taliban fighters along a mountain ridge in Afghanistan. “I was already starting to refer to the Predator and myself as ‘I,’ even though the airplane was thousands of miles away,” Martin notes ruefully.

Notifying Marines on the ground that he’s arriving on the scene in Afghanistan, he has to remind himself that he’s not actually arriving anywhere—he’s still in his seat on the base. “Although it was only shortly after noon in Nevada,” he writes, “I got the yawns just looking at all that snow and darkness” on the ground outside Kabul. He can hardly be blamed for the confusion. The eerie acuity of vision afforded by the Predator’s multiple high-powered video cameras enables him to watch as the objects of his interest light up cigarettes, go to the bathroom, or engage in amorous adventures with animals on the other side of the world, never suspecting that they are under observation as they do.

Even though home and wife are just a few minutes’ drive down the road from his battle station, the peculiar detachment of drone warfare does not necessarily insulate Martin from his actions. Predator attacks are extraordinarily precise, but the violence of war can never be fully tamed, and the most gripping scenes in the book document Martin’s emotions on the occasions when innocent civilians wander under his crosshairs in the seconds just before his Hellfire missile arrives on target. Allied bomber pilots in World War II killed millions of civilians but rarely had occasion to experience the results on the ground. Drone operators work with far greater accuracy, but the irony of the technology is that its operators can see their accidental victims—two little boys and their shattered bikes, in one especially heartrending case Martin describes—in excruciating detail. Small wonder that studies by the military have shown that UAV operators sometimes end up suffering the same degree of combat stress as other warfighters.1

And yet the US military does little to discourage the notion that this peculiar brand of long-distance warfare has a great deal in common with the video-gaming culture in which many young UAV operators have grown up. As one military robotics researcher tells Peter Singer, the author of Wired for War, “We modeled the controller after the PlayStation because that’s what these eighteen-, nineteen-year-old Marines have been playing with pretty much all of their lives.” And by now, of course, we also have video games that incorporate drones: technology imitating life that imitates technology.

4. Drones cause no mental detachment.

Gregory 11

Derek Gregory is Peter Wall Distinguished Professor at the University of British Columbia in Vancouver, “From a View to a Kill: Drones and Late Modern War”, Theory Culture Society 2011 28: 188, http://tcs.sagepub.com/content/28/7-8/188.full.pdf+html //jchen

Video Game War?

For this reason, characterizations of the drone missions as moments in a ‘video game war’ that inculcates a ‘Playstation mentality to killing’ may well be wide of the mark (Alston, 2010: 5; Fellowship of Reconciliation, 2010). Critics often point to Grossman’s (1995) study of ‘learning to kill’, which identified distance as a powerful means of overcoming the resistance to killing. He argued that in the Second World War ‘pilots and bombardiers were protected by distance’ from seeing the effects of their bombs (1995: 78): ‘From a distance I can deny your humanity, and from a distance I cannot hear you scream’ (1995: 102; see also Gregory, 2011).

Although Grossman was writing before UAVs were armed and so could not directly address the drone wars, he did point to first-person shooter video games as particularly powerful agents of conditioning through which players become ‘hardwired’ for killing, and his anatomy of killing listed not only physical distance but also emotional distance, including social, cultural, moral and, crucially, ‘mechanical’ distance: the screen that separates the gamer from the game (1995: 188^9).16 It seems a small step to infer that long-distance killing from a UAV would radicalize those affective protections. Yet video games do not stage violence as passive spectacle; they are profoundly immersive, drawing players in to their virtual worlds, which is in part why the US military uses them in its pre-deployment training.17 The video streams from the UAVs seem to produce the same reality-effect. ‘You see a lot of detail,’ the commander of the Air Force’s first dedicated UAV wing notes, so ‘we feel it, maybe not to the same degree [as] if we were actually there, but it affects us.’ ‘When you let a missile go,’ he explains, ‘you know that’s real life – there’s no reset button’ (Logan, 2009; Zucchino, 2010). One Predator pilot insists that the horror of watching two young boys on a bicycle ride into the frame seconds before his missile struck its designated target ‘lost none of its impact’ from being viewed on a screen: ‘Death observed was still death’ (Martin, 2010: 212). Anecdotes cannot settle the matter, of course, but reports of drone crews suffering from post-traumatic stress induced by constant exposure to high-resolution images of real-time killing and the after-action inventory of body parts should be taken extremely seriously (Lindlaw, 2008).18

8. Drones have a minimal effect on national psyche, doesn’t increase intervention

Etzioni 10

Amitai Etzioni, University Professor and Professor of International Relations at The George Washington University, “Unmanned Aircraft Systems: The Moral and Legal Case”, National Defense University, Joint Force Quarterly, JFQ issue 57, 2010 p66 //jchen

In Cold Blood?

Finally, UAS are criticized on the grounds that they are manned by people sitting in air-conditioned offices in Nevada or Florida, playing around with a joystick before they go home to have dinner and coach Little League. According to Mayer, ethicist Peter W. Singer believes that the drone technology is “‘seductive,’ because it creates the percep- tion that war can be ‘costless.’” Moreover, the victims (Mayer’s term) remain faceless, and the damage caused by the UAS remains unseen. Mary Dudziak of the University of Southern California’s Gould School of Law opines that “[d]rones are a technological step that further isolates the American people from military action, undermining political checks on . . . endless war.”

This kind of cocktail-party sociology does not stand up to minimal critical examina- tion. Would the people of the United States, Afghanistan, and Pakistan be better off if ter- rorists were killed in “hot” blood—say, knifed by Special Forces, blood and brain matter splashing in their faces? Would they be better off if our troops, in order to reach the terrorists, had to go through improvised explosive devices blowing up their legs and arms and gauntlets of machinegun fire and rocket-propelled gre- nades, traumatic experiences that turn some of them into psychopath-like killers?

If all or most fighting were done in a cold-blooded, push-button way, it might well have the effects Mayer suggests. However, as long as what we are talking about are a few hundred drone drivers, what they do or do not feel has no discernable effects on the nation or the leaders who declare war. Indeed, there is no evidence that the introduction of UAS (and before that, high-level bombing and cruise missiles that were criticized on the same grounds) made going to war more likely or extending it more acceptable. Anybody who followed the history of our disengagement in Vietnam after the introduction of high-level bombing, or the difficulties President Obama faced in increasing troop levels in Afghanistan in the fall of 2009—despite the recent increase in UAS use—knows better.

#### 9. Drones lower the acceptable collateral damage and increase restrictive rules of engagement

Beard 09

Jack Beard, Professorial Lecturer, UCLA School of Law; former Associate Deputy General Counsel (International Affairs), Department of Defense. The author was also assigned as a Lieutenant Colonel in the U.S. Army Reserve to the International and Operational Law Division, Office of The Judge Advocate General, Department of the Army, Vol. 103:409, 2009, LAW AND WAR IN THE VIRTUAL ERA, http://www.asil.org/ajil/July2009\_1selectedpiece.pdf //jchen

The effects of these rising public expectations and greater levels of transparency are unfolding as the new virtual surveillance systems are being widely deployed for the first time in history. While this process continues, lawyers, attack planners, and military commanders are grappling with their new responsibilities. One measure of these developments that also reflects how the war-fighting bureaucracy of a powerful state like the United States comes to terms with the grim prospect of civilian deaths, political pressures, legal constraints, and the ever-increasing scrutiny of a legalized and humanized international society is a set of documents referred to as “Rules of Engagement.”55 It is here that key policy, legal, and operational interests are balanced and many important targeting restrictions are established.56 Lawyers already play a prominent part in the development of these rules,57 but the increasing transparency of military operations made possible by virtual technologies and the likelihood that more military operations will ulti- mately have to be explained and defended will further elevate their role and the level of scrutiny they may apply. Even now, lawyers, in advising attack planners, often take a broad view of potential humanitarian considerations and propose restraints on operations that go far beyond more permissive rules of engagement.58 These restrictions have sometimes constrained U.S. forces in ways that enemy action could not have done, particularly when public opinion has been a crucial factor.59

Aside from parts of rules of engagement that may be classified, their publicly available con- tents over the last several years serve as a barometer of progressively rising constraints on U.S. military operations imposed by social, political, diplomatic, and legal pressures.60 Virtual tech- nologies are both enlarging the role of lawyers and accelerating a process in which restrictive interpretations of the law of war may be becoming the minimum acceptable standard in the rules for attacks that risk civilian damage and injury. The capability provided by virtual tech- nology to strike more targets and perform more missions thus comes at an unexpected and, for some military leaders, highly problematic cost: some of the most restrictive air-strike protocols and rules of engagement of all time.61 These developments are also fundamentally linked to the contribution that the informational capabilities of virtual technologies are making to the con- temporary concept of what constitutes victory in modern counterinsurgency operations.

10. Drones avoid the romanticization of war, violence can only be justified because of its necessity not for glory. Drones face increased scrutiny that means fewer civilians die.

Brennan 13

Kiel Brennan-Marquez is a Visiting Human Rights Fellow at Yale Law School, “A progressive defense of drones”, 5/24/13, Salon, http://www.salon.com/2013/05/24/a\_progressive\_defense\_of\_drones/ //jchen

But there is another moral dimension to drone warfare, running in the opposite direction, which I fear has been lost in the haze of (rightful) outcry. For the same reason that **drone warfare stands to make** **violence** easier to deploy — none of our lives are on the line — it also makes violence **harder to rationalize.** **The pain and death of drone strikes, unlike the pain and death of traditional missions, can draw no comfort from narratives of heroism. Destruction wrought by machines is neither noble nor grand**. It’s asinine, and unfailingly repugnant**. This means that drone strikes must be justified on their own terms, without recourse to war’s long-standing mystification.** **In a world where we apotheosize soldiers, and rope off their actions from everyday opprobrium, it’s important to consider whether the banal violence of machines might be preferable to the lionized violence of men**.

A year ago, Tom Engelhardt published a memorable essay in the Nation on the vileness of drone warfare. Taking a healthily incredulous view of the Obama administration’s assurance that it would use its lurid toy for exclusively virtuous ends, Engelhardt concluded with a flourish of outrage: “What [our leaders] can’t see in the haze of exceptional self-congratulation is this: they are transforming the promise of America into a promise of death. And death, visited from the skies, isn’t precise. It isn’t glorious. It isn’t judicious. It certainly isn’t a shining vision. It’s hell.” Magnificently put: **The only trouble is that these same critiques would apply just as forcefully, if not more so, to traditional warfare. War isn’t precise. It isn’t glorious. It isn’t judicious. It isn’t a shining vision. It’s hell.**

The difference between traditional warfare and drone strikes is that the latter can be clearly identified as hellacious. Not just by poets and philosophers – but by everyone, everywhere, in the immediacy of its horror. When innocent people end up dead as the result of a drone strike, we easily recognize that outcome as morally lamentable. **Undaunted by the symbolic distortion of the battlefield, we confront drones with the skepticism — and, as the case may be, the outrage — that accompanies moral clarity. The burden of proof inverts. Unlike traditional warfare, when the loss of life on the other side is presumptively acceptable, and it only becomes unacceptable if circumstances render it so, in the case of drone strikes, the loss of lives on the other side is presumptively unacceptable**, and **it only becomes acceptable if a persuasive rationale can be offered.** Such rationales are not impossible to formulate, but it faces a steep upward grade. It’s an argument of last resort, defensive rather than triumphant.

#### Other considerations check adventurism – diplomatic and political costs

Time 12

“Betting Against a Drone Arms Race”, Joseph Singh is a researcher at the Center for a New American Security, 8/13/12, http://nation.time.com/2012/08/13/betting-against-a-drone-arms-race/ //jchen

Significant public support for the Obama Administration’s increasing deployment of drones would also seem to legitimate this claim. Yet, there remain equally serious diplomatic and political costs that emanate from beyond a fickle electorate, which will prevent the likes of the increased drone aggression predicted by both Ignatieff and Sharkey.

Most recently, the serious diplomatic scuffle instigated by Syria’s downing a Turkish reconnaissance plane in June illustrated the very serious risks of operating any aircraft in foreign territory.

States launching drones must still weigh the diplomatic and political costs of their actions, which make the calculation surrounding their use no fundamentally different to any other aerial engagement.

#### Lack of drones didn’t restrain conflicts in the past

Goure 12

Daniel Goure, Vice President of the Lexington Institute, a thinktank based in Arlington, Virginia, and an analyst on national security and military issues for NBC, 1/13/12, “Drones and the Changing Nature of Warfare: Hold the Presses!”, http://www.cato-unbound.org/2012/01/13/daniel-goure/drones-changing-nature-warfare-hold-presses //jchen

Armed drones serve a niche function. They are useful in situations where real-time tactical intelligence is required in order to launch a weapon and the operating environment is extremely benign. Because they can loiter in the area of a suspected target, waiting for positive identification and the proper time to strike with the least possibility of inflicting collateral damage, they are far less lethal than any other aerial weapons system.

Attempts to connect an increased tendency to use force are supported neither by the evidence nor by logic. The frequency and intensity of conflicts has declined even as the ability to conduct remote combat has increased exponentially. There were only a handful of drones available to the U.S. military when Operations Enduring Freedom and Iraqi Freedom began. The lack of unmanned systems appears to have posed no obstacle to the decision to initiate either operation.

It is difficult to accord any serious influence over the conduct of air operations in past or current conflicts to the presence of armed drones. In the era before drones, the U.S. imposed ten year long no-fly zones over northern and southern Iraq. In addition, the number of drone sorties in total is but a tiny fraction of all aerial sorties. Armed drone sorties constitute only a small fraction of total drone missions. Cortright notes that since 2009 there have been 239 drone strikes into Pakistan. However, for the month of January 2011, Coalition forces in Afghanistan flew 387 sorties in which guns were fired or munitions expended.[2] These statistics suggest a clear preference on the part of the military for manned aerial systems and not drones in the conduct of tactical air operations.

I might go even farther than Goldstein and argue that Cortright should advocate the greater use of drones, armed and otherwise, precisely due to his interest in reducing the frequency, intensity, and costs of conflicts. Just as dash cameras in police cars and cell phone cameras have led to a decrease in police brutality and the ability to bring those who violate procedures to account, the electro-optical sensors on drones can be used to increase oversight over military forces in the field. In fact, cameras can reduce what Cortright calls “the psychological distance that separates the launching of a strike from its bloody impact.” It can also help reduce the alleged isolation of the American people from the use of force in their name.

### Second

#### The 1AC exemplifies the compulsion to situate and contain politics within an ethical framework because politics appears to be in such bad shape, an ethical subject must shape the political by legislating ethical guidelines. Rather than universal ethics, we now feel compelled to generate ethical enclaves where judgment remains possible, thus assuring us that we are capable of limited ethical conduct with universal impact. The 1AC’s story of ethical decision-making is nothing but efficiency in the name of ethics – re-packaging complexity in terms of simply making the obviously correct ethical choice.

David Simpson, English @ UC Davis, 2002, Situatedness, or Why We Keep Saying Where We’re Coming From, p218-221.

The Persistence of Ethics The assertions of belonging that inform declarations of situatedness can then be read partly as wish fulfillments—for how else could their reiteration be so effectively ensured? Michael Sandel has specified the potential of the “multiply-situated” selves that he sees us to be to collapse into “formless, protean, storyless selves, unable to weave the various strands of their identity into a coherent whole” (Democracy’s Discontent, p. 350). The maximizing of personal opportunities for some is shadowed by the melancholy of a lost or vanishing community even among those able to profit from flexible subjectification procedures, Others are presumably consigned to pure insecurity or to the imagined consolations of residual traditional groups of the sort that tend to go by the name of communities. Such groups as we do belong to or affiliate with are themselves insecure both as experienced and in their relation to anything identifiable as a general history. Lukács may have been one of the last to believe that the “self-understanding” of a group, which was in this case a class, the proletariat, could also be “simultaneously the objective understanding of the nature of society,” so that all conscious furtherance of class-specific aims was also the truth of history (History and Class Consciousness, p.149), A more common contemporary experience is the declaration of group interests as , . . group interests, and those of groups to which one only partly or temporarily belongs anyway. So the de-bate over the feminist “standpoint epistemology” that was derived from Lukács rapidly acknowledged the problem of there being no visibly coherent groups, or too many of them, to belong to.20 Postmodern theory can sometimes declare itself comfortable enough with the predicament of fractured identity as itself a source of knowledge and oppositional energy, making a virtue of the condition that so concerns Michael Sandel. But there are still many of us who punctuate the narrative with regular declarations of situatedness, obeying an ethical mandate not to be a mere individual by way of a hoped-for connection with some interpersonal or impersonal identity-forming principle. Which leads us, at last, to the matter of ethics, and to a discussion I have withheld until now. What is at work in these assertions of the determining power of situatedness - positive for Benhabigb and Sandel, and also for Hollinger when rendered subject to revocable consent - seems to be an instance of what Glen Newey has described as “the major project in modern liberalism... to use ethics to contain the political.”21 What is actually going on in these addresses to the current condition, in other words, is an ethics, or an exhortation to certain sorts of ethical behavior, largely on the part of individuals. What is being said is not that I am in some clearly explicable sense situated here or there or then or now, but that I should or should not be so situated, in order to authorize what I am saying as the property of something beyond just myself. And that in being thus situated I am not responsible for what I am saying or doing; the responsibility is collective. And that in challenging or denying me in what I affirm or desire, you are opposing not just me but a group that I represent, which is an unethical thing for you to do. The claims and assumptions are muddled, even to the point of appearing by some definitions quite unethical (for this is hardly the Kantian subject doing rigorous justice on itself): notice that it is mostly a virtue to situate oneself but a sort of diminishment or accusation to ask someone else to do the same. But it is ethical argument that often pops up to fill the space abandoned by epistemology: what we cannot know for sure is supplanted by what we ought to be or do. So in the Goldhagen case the central hypothesis is about choice: how the Germans could have refused (without fear of reprisal) to kill Jews, but killed them anyway. In the exposition of the history standards, the gaps in our knowledge that come from the sheer proliferation of possible knowledges are filled by encouraging students to make moral choices. The scientism elite Bell Curve hardly conceals its address to the question of whether we should be in the business of maintaining (racial) preferences. And the Littleton summit and its ongoing rehearsal have a good deal to do with what we call in the last commonplace instance family values and community standards. his for good reasons that Alain Touraine has characterized on as giving up on “scientism” in favor of a “return to moralism.”.22 Touraine himself seems quite happy with this. Notwithstanding his rigorous critique of identity crisis as a social-historical phenomenon, it is to another such category, that of the creative subject, to which he turns for solace: “If we are to defend democracy, we must reenter our social and political life on the personal subject... hence the growing importance of ethics, which is a secularized form of the appeal to the subject.”23 It is now twenty years since Fredric Jameson wrote about ethics as a “historically outmoded system of positioning the individual subject” and as “the sign of an intent to mystify” by way of the “comfortable simplifications of a binary myth.”24 These remarks are even more timely now than when they were first recorded, and Jameson himself has again recently reminded us that ethical speculation is “irredeemably locked into categories of the individual” and that “the situations in which it seems to hold sway are necessarily those of homogeneous relationships within a single class.”25 This need not be always and in principle the case, and one would hardly wish to discourage attention to questions that are ethical in the broadest sense; questions about how one should act, how one might best live one’s life, how one might limit the damages one does to others. But my very use of the impersonal pronoun here indicates the problem: that ethics for most of us most of the time means subjective meditation.26 The return to or persistence of ethics is a form of what Jameson has called “pastiche,” which is “the blank and non-parodic reprise of older discourse and older conceptuality, the performing of the older philosophical moves as though they still had a content... the ritual resolution of problems that have themselves long since become simulacra, the somnambulistic speech of a subject long since extinct” (p. 99). This could be said too of the “problem” of the subject that the rhetoric of situatedness is designed both to repackage and to “resolve.” Those of us in the habit of situating ourselves on a regular basis might stop to investigate the peculiar feeling of virtue we have as we do so, and ponder whether we have deserved it by any active connection with anything (some of us of course can pass this test, but not all of us). Niklas Luhmann has written of the tendency whereby ethical prescriptions apply to others rather than to oneself: “One can formally subject oneself to them, but self-application is not an option because of the lack of any consequential authority for action.” He sees them as symptoms of an “irritation” in the social sphere that can only take the form of pure “communication” (Observations on Modernity, p. 78). In its turning from “cognitive to normative” ethics then becomes itself “an unethical kind of doping” (pp. 91, 94) whereby one confesses one’s own limits - itself a form of authority (“Let me tell you where I am coming from”) - only in order to expose everyone else’s. The imperative to situate oneself is perceived as ethical even as (or perhaps because) it is usually devoid of critical content and without consequences beyond the moment of utterance. Meanwhile the ethics of situatedness promises to restore to the individual a satisfaction that in its profound oneliness it can no longer derive from the metaphysics of individuality itself.

#### An “Ethical Relationship” is Impossible - An Obligation with One Other Ignores Other-Others - The Idea Ethics Creates the Reality of Remote Control Murder\*\*

Martin Hägglund, PhD Candidate in Comp. Lit @ Cornell, ‘4 [*Diacritics*, “The Necessity of Discrimination: Disjoining Derrida and Levinas,” p. muse]

Even if one disregards the theologico-patriarchal humanism in Levinas's line of reasoning, one should note how he attempts to explain away the incoherence of his conceptual schema. Both Levinas and Critchley admit that "the third" haunts the face-to-face encounter, at the same time as they describe the arrival of the third as a passage from one order to another, from the immediate to the mediate, the originary to the [End Page 58] [Begin Page 60] derivative, the ethical to the political. The same argumentative structure recurs in Bernasconi's essay "Justice without Ethics?" Bernasconi points out that there are always already others, which contradict the ethics of submission before an absolutely singular Other, but he does not draw the deconstructive consequences of this contradiction. That the third party de facto is there from the beginning does not, for Bernasconi, call into question the de jure definition of ethics as "a face to face relation with the Other without the third party" [65]. Indeed, Bernasconi categorically excludes that Levinas's ethical ideal can be contested by the problem of the third: "one cannot argue that, because there can never be a face to face with the Other without the others, the notion of ethics makes no sense" [65]. Thus, Bernasconi precludes the deconstructive thinking of originary discrimination, and retains the Levinasian distinctions between the Other and the others, the ethical and the political. But if there are always already more than two, then there is no justification whatsoever for the Levinasian demarcation of ethics from politics. The very idea of a primary "ethical experience" in the face-to-face encounter is untenable, since any encounter always excludes others and thus exercises discrimination. Derrida makes precisely this point in Adieu to Emmanuel Levinas. Here, Derrida insists that "the third does not wait" and undermines the primacy of ethics.24 Where Levinas holds that there is a "primordial word of honor" in the "uprightness" of the ethical encounter, Derrida argues that such a pledge of unconditional fidelity necessarily commits perjury, either by betraying its relation to other others in favor of a certain other or inversely. In Adieu, the nonethical opening of ethics is described as an arche-perjury or arche-betrayal that makes us doubly exposed to violence: "exposed to undergo it but also to exercise it" [33/66]. Moreover, there have always been innumerable others, whom one cannot sort into categories such as "the other" and "the third." Consequently, Derrida maintains that one can only choose "between betrayal and betrayal, always more than one betrayal" [34/68]. However, Levinas draws a quite different conclusion from his thinking of the third. Instead of regarding the ineluctable relation to the third as refuting the idea of an originary ethical encounter, Levinas claims that it paves the way for a universal justice under the heading of God.25 Levinas's reference to God is not fortuitous, but is necessary to consolidate his vision of "a society where there is no distinction between those close and those far off, but in which there also remains the impossibility of passing by the closest," as he puts it in Otherwise than Being [159/203]. The only way to achieve such an ideal society would be through a totalizing instance, which would have the ability to survey every aspect of every relation and thereby be absolutely assured against the risk of committing mistakes or exercising discrimination. Of course, Levinas claims to be refuting philosophies of totality. But he does not assess the consequences of such a refutation. If not everything and everyone can be included—which is to say, if totalization is impossible—it will always be necessary to exclude. This is what Derrida's deconstructive logic underscores. Moreover, deconstructive logic undermines the notion that it would be desirable to attain an absolute peace (an ideal that guides Levinas's "ethical" vision of unconditional submission before the Other, as well as his "political" vision of a society that would respect alterity without exclusion). Such a peace would in fact abolish the very possibility of relations and thus be the equivalent of an absolute violence. For Derrida, then, Levinas's ideal ethical relation between two is not only untenable but undesirable; it would be "the worst violence," Derrida writes in "Faith and Knowledge" [100]. In contrast to Levinas, Derrida argues that "more than One [End Page 60] is at once more than two" [100]. This originary dissemination of others can never be mastered by any ethics or politics. Rather, it opens the space and time for all kinds of violence, dramatically abbreviated by Derrida as "perjury, lies, remote-control murder, ordered at a distance even when it rapes and kills with bare hands" [100]. Such threats of violence cannot be eliminated—since they are concomitant with the very possibility of relations—but can only be mitigated in essentially precarious processes of negotiation.

#### The Aff’s Claims of Absolute Obligation is Absolute Violence – The point of decisions is to choose lesser violence, not pretend it doesn’t exist

Martin Hägglund, PhD Candidate in Comp. Lit @ Cornell, ‘4 [*Diacritics*, “The Necessity of Discrimination: Disjoining Derrida and Levinas,” p. muse]

There is no opposition between undecidability and the making of decisions. On the contrary, Derrida emphasizes that one always acts in relation to what cannot be predicted, that one always is forced to make decisions even though the consequences of these decisions cannot be finally established. Any kind of decision (ethical, political, juridical, and so forth) is more or less violent, but it is nevertheless necessary to make decisions. Once again, I want to stress that violent differentiation by no means should be understood as a Fall, where violence supervenes upon a harmony that precedes it. On the contrary, discrimination has to be regarded as a constitutive condition. Without divisional marks—which is to say: without segregating borders—there would be nothing at all.In effect, every attempt to organize life in accordance with ethical or political prescriptions will have been marked by a fundamental duplicity. On the one hand, it is necessary to draw boundaries, to demarcate, in order to form any community whatsoever. On the other hand, it is precisely because of these excluding borders that every kind of community is characterized by a more or less palpable instability. What cannot be included opens the threat as well as the chance that the prevalent order may be transformed or subverted. In Specters of Marx, Derrida pursues this argument in terms of an originary "spectrality." A salient connotation concerns phantoms and specters as haunting reminders of the victims of historical violence, of those who have been excluded or extinguished from the formation of a society. The notion of spectrality is not, however, exhausted by these ghosts that question the good conscience of a state, a nation, or an ideology. Rather, Derrida's aim is to formulate a general "hauntology" (hantologie), in contrast to the traditional "ontology" that thinks being in terms of self-identical presence. What is important about the figure of the specter, then, is that it cannot be fully present: it has no being in itself but marks a relation to what is no longer or not yet. And since time—the disjointure between past and future—is a condition even for the slightest moment, Derrida argues that spectrality is at work in everything that happens. An identity or community can never escape the machinery of exclusion, can never fail to engender ghosts, since it must demarcate itself against a past that cannot be encompassed and a future that cannot be anticipated. Inversely, it will always be threatened by what it cannot integrate in itself—haunted by the negated, the neglected, and the unforeseeable. Thus, a rigorous deconstructive thinking maintains that we are always already inscribed in an "economy of violence" where we are both excluding and being excluded. No position can be autonomous or absolute but is necessarily bound to other positions that it violates and by which it is violated. The struggle for justice can thus not be a struggle for peace, but only for what I will call "lesser violence." Derrida himself only uses this term briefly in his essay "Violence and Metaphysics," but I will seek to develop [End Page 47] its significance.12 The starting point for my argument is that all decisions made in the name of justice are made in view of what is judged to be the lesser violence. If there is always an economy of violence, decisions of justice cannot be a matter of choosing what is nonviolent. To justify something is rather to contend that it is less violent than something else. This does not mean that decisions made in view of lesser violence are actually less violent than the violence they oppose. On the contrary, even the most horrendous acts are justified in view of what is judged to be the lesser violence. For example, justifications of genocide clearly appeal to an argument for lesser violence, since the extinction of the group in question is claimed to be less violent than the dangers it poses to another group. The disquieting point, however, is that all decisions of justice are implicated in the logic of violence. The desire for lesser violence is never innocent, since it is a desire for violence in one form or another, and there can be no guarantee that it is in the service of perpetrating the better. Consequently, my argument is not that the desire for lesser violence answers to a normative ideal or that it is inherently good. Such an argument presupposes that there is a way to objectively define and measure violence, which is an untenable presupposition. Every definition and every measure of violence is itself violent, since it is based on decisions that are haunted by what they exclude. The criteria for what counts as violence are therefore always open to challenge. Indeed, there would be no chance to pursue political critique and to transform the law if the definitions of violence were not subject to possible alteration. A contemporary example is the extension of animal rights. What formerly went unrecognized as violence in the juridical sense—the abuse and killing of animals—has begun to be recognized as an illegal violence. A similar transformation of the criteria for what counts as violence is still underway with regard to subordinated classes, races, and genders. If there were an objective norm for what is less violent, the range of such political critique would be limited in advance and there would be an end to politics. In contrast, Derrida argues that politics is endless since any definition of violence is itself violent and given over to possible contestation. Deconstruction cannot teach us what the "lesser violence" is in any given case. On the contrary, deconstruction spells out why the question of violence remains forever undecidable. The supposed lesser violence may always be more violent than the violence it opposes, and there can be no end to the challenges that stem from the impossibility of calculation. Derrida's argument here is neither negative nor positive; it neither deplores nor celebrates the constitutive violence. Rather, it accounts for violence as the condition for both the desirable and the undesirable. Due to the economy of violence, there is always the possibility of less violence (and the risk of more violence). Otherwise there would be no politics in the first place. If there were not the chance of less violence (and the threat of more violence) there would be no reason to engage in political struggle, since nothing could ever be changed.13 [End Page 48] A possible objection here is that we must strive toward an ideal origin or end, an arkhe or telos that would prevail beyond the possibility of violence. Even if every community is haunted by victims of discrimination and forgetting, we should try to reach a state of being that does not exclude anyone, namely, a consummated presence that includes everyone. However, it is precisely with such an "ontological" thesis that Derrida's hauntological thinking takes issue. At several places in Specters of Marx he maintains that a completely present life—which would not be "out of joint," not haunted by any ghosts—would be nothing but a complete death.14 Derrida's point is not simply that a peaceful state of existence is impossible to realize, as if it were a desirable, albeit unattainable end. Rather, he challenges the very idea that absolute peace is desirable. In a state of being where all violent change is precluded, nothing can ever happen**.** Absolute peace is thus inseparable from absolute violence, as Derrida argued already in "Violence and Metaphysics." Anything that would finally put an end to violence (whether the end is a religious salvation, a universal justice, a harmonious intersubjectivity or some other ideal) would end the possibility of life in general. The idea of absolute peace is the idea of eliminating the undecidable future that is the condition for anything to happen. Thus, the idea of absolute peace is the idea of absolute violence.

#### Any Obligation is *Inherently Discrimination* - The Affs Decision to Help One group Automatically ignores another - We have to Make *Difficult Decisions* About How to Respond

Martin Hägglund, PhD Candidate in Comp. Lit @ Cornell, ‘4 [*Diacritics*, “The Necessity of Discrimination: Disjoining Derrida and Levinas,” p. muse]

For the same reason, Derrida's notion of "infinite responsibility" should not be conflated with Levinas's. For Derrida, the infinitude of responsibility answers to the fact that responsibility always takes place in relation to a negative infinity of others. The negative infinity of responsibility is both spatial (innumerable finite others that exceed my horizon) and temporal (innumerable times past and to come that exceed my horizon). Far from confirming Levinas's sense of responsibility, the negative infinity of others is fatal for his notion of an originary encounter that would give ethics the status of "first philosophy" and be the guiding principle for a metaphysical "goodness." Even if it were possible to sacrifice yourself completely to another, to devote all your forces to the one who is encountered face-to-face, it would mean that you had disregarded or denied all the others who demanded your attention or needed your help. For there are always more than two, as Richard Beardsworth has aptly put it [137]. Whenever I turn toward another I turn away from yet another, and thus exercise discrimination**.** As Derrida points out in The Gift of Death, "I cannot respond to the call, the demand, the obligation, or even the love of another without sacrificing the other other, the other others" [68]. Consequently, Derrida emphasizes that the concept of responsibility lends itself a priori to "scandal and aporia" [68]. There are potentially an endless number of others to consider, and one cannot take any responsibility without excluding some others in favor of certain others. What makes it possible to be responsible is thus at the same time what makes it impossible for any responsibility to be fully responsible. Responsibility, then, is always more or less discriminating, and infinite responsibility is but another name for the necessity of discrimination. Third, there is no support in Derrida's thinking for the Levinasian distinction between ethics and politics. Critchley's claim that Derrida fails to account for the political as "conflict, and dissension on a factical or empirical terrain" is simply false, since Derrida maintains that violence is irreducible—that we are always already involved in the process of making decisions that are more or less violent. Critchley's critique is all the more misleading since it is actually he and Levinas who defend the thought of a primary "ethical experience," which would precede the conflicts they ascribe to the political. They are thus confronted with the question of how to find a "passage" from a supposedly primary "ethics" to a supposedly secondary "politics." It is in Levinas's answer to this question that Critchley thinks he has found a "way out" of what he perceives as the Derridean impasse. But in fact one can track how the Levinasian argument that Critchley adopts is a clear example of the metaphysical logic Derrida deconstructs. As we have seen, Levinas wants to promote ethics as "first philosophy" with reference to an "immediate" encounter, in which the subject is submitted to the Other as the incomparably High. This would be the de jure of ethics: its categorical imperative. However, on Levinas's own account it turns out that such an approach de facto is untenable, since the encounter between two is called into question by "the third" (le tiers), who interrupts the ethical relation and demands that we consider others than the Other. We are thus caught up in what Levinas designates as the domain of the political, where it is necessary to interrogate and calculate intersubjective relations in order to achieve social justice. Levinas's observation does not, however, entail that he renounces his notion of a singular, ethical encounter with the Other, which would precede the political. Instead, he holds that the political community should be guided by the respect for the Other, who here turns out to be no one less than God the Father, recalling us to "the human fraternity."

# 2NC

#### Drones still require boots on the ground – checks aggression

Anderson 12

Kenneth Anderson, law professor at Washington College of Law, American University, a research fellow of the Hoover Institution at Stanford University, a Non-Resident Visiting Fellow at the Brookings Institution, “Efficiency in bello and ad bellum: Making the Use of Force too Easy?” published in Targeted Killings: Law and Morality in an Asymmetrical World, 4/30/12 //jchen

One last background observation on the nature of targeted killing through drone warfare. Beyond technology, success in Afghanistan and Pakistan, and anywhere beyond, depends crucially upon on-the-ground intelligence long before any Predator is launched. It is an underappreciated point – very underappreciated. The United States has invested many years in the past decade of war in Afghanistan in establishing its own intelligence network on the ground that is able to supply information with respect to both counterinsurgency operations on both sides of the border, as well as with counterterrorism activities and targeting inside Pakistan. This has taken years, and, particularly during the past five years, the CIA has been the lead agency. This is a reason why the CIA, rather than the military, is tasked with much of the drone use in the border areas of Pakistan; it has the intelligence networks. This is also a source of irritation to the Pakistani government, which is no longer able to steer US targeting and intelligence activities.

But the precision of strikes with respect to civilian casualties, and also the ability to determine who the United States should target and ensure that this is the person actually being targeted by a drone, is a function of the CIA’s intelligence capabilities on the ground, integrating a human network together with signals intelligence. This was the background that led to the successful bin Laden raid in 2011 – and a key source of the Pakistani government’s chagrin, that the United State sdid not need it and would possibly have been compromised in the operation. It is also instructive to compare the difficulties of the Libya air campaign, even with weaponized drone aircraft, with the U.S. capabilities in Afghanistan and Pakistan. The mere fact of drone technology in Libya helped targeting considerably, in the actual moment of fighting, but simply having drone capability could not make up for a lack of ground-level intelligence networks. Afghanistan, by contrast, after 10 years of high-technology war, is one of the most thoroughly mapped spaces in the world, ironically, even as it remains one of the least governable – mapped in natural, built, and social terms with respect to targeting and selection of least harmful weapons systems, as Gregory McNeal has observed.

Ground-level intelligence operations are a vital part of making precision weapons precise; drone technology cannot make up for that capability, just as reliance upon pure signals intelligence is insufficient to direct targeting. All must be integrated. The drone is the sharp tip of a spear. But behind the sharp tip is the thin tail (to employ mixed metaphors) of intelligence operations that constitute the bulk of activities. Drones are only as useful as their supporting intelligence, and the only kind that works over the long run, as Libya teaches in one direction and Afghanistan in the other, are dense ground-level networks of human intelligence integrated with signals intelligence and long-running drone surveillance.

What this points to, however, is that a view of drone warfare sometimes offered, of roving drones that observe from the sky, gather information, and then attack – globally roving birds of prey, so to speak – is simply wrong. A large part of this is intelligence required for useful and accurate targeting. But drones also require infrastructure – runways, bases, repair and maintenance, refueling, and the personnel to support all of that. The fact that they might be piloted from the United States does not change the very considerable physical infrastructure required to support them, relatively close to actual operations and, of course, not in Nevada or Langley. Drones are better understood, though not as “global,” but instead as aircraft flown from, but finally tethered to, a (metaphorical) aircraft carrier – roving with a certain range, but always strictly tethered and entirely dependent upon a base. Far from being free-roving global birds of prey, they are instead the last kinetic step in a long, dense, and intensely local intelligence and infrastructure operation.

#### Public backlash over civilian deaths prevent adventurism – survey proves

Walsh 12

James Igoe Walsh, political science professor at UNC-Charlotte, “Do Drones Change Americans’ Views on the Use of Force?”, 8/28/12, http://themonkeycage.org/2012/08/28/do-drones-change-americans-views-on-the-use-of-force/ //jchen

The treatment describing military casualties leads to a lower level of mean support for the use of force. The chance to avoid military casualties by using drones rather than soldiers produces a noticeable increase in willingness to use force, consistent with the arguments of Mueller and Singer. Finally, the possibility of civilian casualties leads to the largest drop in mean support compared to be baseline treatment. This is a real surprise, since it means that respondents attach as much or more value on the lives of foreign civilians as they do on US military personnel.

It would be unwise to assume that these findings directly reflect the preferences of the American public, since they survey is not based on a random sample. It is, though, reasonable to conclude that the effects of varying the information provided to respondents here would produce qualitatively similar effects in a more representative sample. It is also possible that these relationships would be quite different if what Bruce Jentleson terms the “principal policy objective” where altered from drone strikes to counter terrorists to using drones to, for example, punish abusers of human rights or to bring about regime change overseas.

These results suggest that drones may well alter how Americans think about using military force. The effect of military casualties found here implies that drone technology could make it much easier, and perhaps tempting, for Presidents to use them in conflicts overseas. The smaller effect of mission success means that even the prospect of failure may serve as only a small brake on such impulses. Civilian deaths, though, may well moderate support for drone strikes.

#### Massive decrease in casualties since Obama’s policy reform – human rights report only looks at prior

Bloomberg 10/24

“What You Don’t Know About Obama’s Drone War”, http://www.bloomberg.com/news/2013-10-24/what-you-don-t-know-about-obama-s-drone-war.html //jchen

There are strong arguments for a change in the U.S.’s program of drone attacks, and they are made in two reports released this week by human-rights groups. Both reports, however, fail to emphasize a salient point: The program has already been modified.

The reports, by Human Rights Watch and Amnesty International, document cases of what appear to be disproportionate use of force and the needless killing of civilians. But the examples they cite predate President Barack Obama’s May 22 order to “heavily constrain” the U.S.’s use of drones. In a speech the next day, Obama promised that the U.S. would not use drones when it could capture a terrorist instead, and that it would act only against those who pose an imminent threat to the U.S. and when there was near certainty no civilians would be harmed.

It’s hard to say for sure whether these reforms have reduced the excesses of the drone program. Yet early indications are encouraging.

According to figures compiled by the Long War Journal, in the last five months there have been 12 drone attacks in Yemen causing two civilian deaths, compared with 15 attacks causing 13 civilian deaths in the same period last year. In Pakistan, attacks have fallen to 10 from 25, with no civilian casualties in either period.

#### Casualties low in Pakistan – newest governmental estimates

AP 10/31

“Pakistan: 3 Percent Of Drone Deaths Were Civilians”, http://www.npr.org/templates/story/story.php?storyId=241799231 //jchen

ISLAMABAD (AP) — The Pakistani government said Wednesday that 3 percent of 2,227 people killed in U.S. drone strikes since 2008 were civilians, a surprisingly low figure that sparked criticism from groups that have investigated deaths from the attacks.

The number, which was provided by the Ministry of Defense to the Senate, is much lower than past government calculations and estimates by independent organizations that have gone as high as 300. The ministry said 317 drone strikes have killed 2,160 Islamic militants and 67 civilians since 2008.

The attacks, which mainly target suspected Islamic militants near the northwestern border with Afghanistan, are widely unpopular in Pakistan because they are viewed as violating the country's sovereignty and killing too many civilians. The Pakistani government regularly criticizes the drone program in public, even though it is known to have secretly supported at least some of the strikes in the past.

#### Their Absolute Obligation is Impossible - Our Relations to Others are always Mediated And Contain the Possibility of Failure - An Ideal World Is Always Violent Against Another Other

Martin Hägglund, PhD Candidate in Comp. Lit @ Cornell, ‘4 [*Diacritics*, “The Necessity of Discrimination: Disjoining Derrida and Levinas,” p. muse]

The most instructive reading is Levinas's essay "The Trace of the Other," where he elucidates the notion of the trace that is operative in his writings. Levinas's main concern is to establish that "a trace does not effect a relationship with what would be less than being, but obliges with regard to the infinite, the absolutely other" [357]. The absolutely other is here the positive infinity of God, which Levinas describes as analogous to the Good beyond being in Plato and the One in Plotinus. The One is an absolute past because it "has already withdrawn from every relation and every dissimulation" [356]. While absent in the world, the One is nevertheless present as a trace in the ethical encounter with a human face: "it is in the trace of the other that a face shines; what is presented there is absolving itself from my life and visits me as already ab-solute" [359]. Levinas even goes so far as to venture the following claim: "Only a being that transcends the world can leave a trace" [358]. That the other appears as a trace does not mean, then, that it is dependent on mediation or subjected to the movement of signification. On the contrary, Levinas insists that the other "comes without mediation; he signifies by himself" [351]. The immediacy of the face is not an incidental feature of Levinas's argument but is crucial for his notion of an original "uprightness" in the ethical encounter. As Levinas explains, it is the "absoluteness of the presence of the other, which has justified our interpreting the exceptional uprightness of thou-saying as an epiphany of this absoluteness" [358]. Thus, we should not be surprised when Levinas's description of the absolute presence of the other turns out to be interchangeable with his notion of the absolute past. Levinas himself accounts for the equivalence between the absolute presence of the face and the absolute past of the Absent One: "the supreme presence of a face is inseparable from this supreme and irreversible absence" [356].6 Derrida's notion of the trace systematically undermines these Levinasian premises. First, in Derrida the trace of a past that has never been present does not refer to an Absent One. On the contrary, it designates a constitutive spacing that undercuts the very idea of the One. Second, spacing explains why there can be no instance (such as the absolute Other in Levinas's account) that precedes its own "dissimulation." As Derrida puts it in Of Grammatology, the "presentation of the other as such, that is to say the dissimulation of its 'as such,' has always already begun" [47/69]. Third, the spacing of the trace undermines the possibility of anything being in itself and accounts for erasure as a necessary risk. Thus, it undercuts Levinas's theological appropriation of the trace. As Derrida formulates it in Writing and Difference: "An unerasable trace is not a trace, it is a full presence, an immobile and uncorruptible substance, a son of God, a sign of parousia and not a seed, that is, a mortal germ" [230/339]. Last but not least, for Derrida the trace is concomitant with the necessity of mediation. This precludes the "immediacy" that grounds Levinas's notion of "uprightness." Levinas repeatedly refers to uprightness when he sets out to promote the primacy of ethics. In Totality and Infinity, the face-to-face relation figures as the guarantee for a supposedly "straightforward" and "immediate" encounter that is "foreign to all compromise and all contamination," relying on "the absolute authenticity of the face" and a "primordial word of honour" in relation to which the deceitful powers of rhetoric are denounced as "corrupting."7 Levinas's other major philosophical work, Otherwise than Being, follows the same logic in maintaining an opposition between the "sincerity" of the primordial Saying and its "alienation" in the Said.8 This opposition is by no means fortuitous, since the primacy of ethics requires that there first was sincerity and peaceful hospitality, before these values were compromised by insincerity and violent hostility. Derrida targets precisely this logic of opposition. As he argues in Of Grammatology, metaphysics has always regarded violence as derivative of a primary peace. The possibility of violence can thus be accounted for only in terms of a Fall, that is, in terms of a fatal corruption of a pure origin. By deconstructing this figure of thought, Derrida seeks to elucidate why violence is not merely an empirical accident that befalls something that precedes it. Rather, violence stems from an essential impropriety that does not allow anything to be sheltered from death and forgetting.9 Consequently, Derrida takes issue with what he calls the "ethico-theoretical decision" of metaphysics, which postulates the simple to be before the complex, the pure before the impure, the sincere before the deceitful, and so on.10 All divergences from the positively valued term are thus explained away as symptoms of "alienation," and the desirable is conceived as the return to what supposedly has been lost or corrupted. In contrast, Derrida argues that what makes it possible for anything to be at the same time makes it impossible for anything to be in itself. The integrity of any "positive"term is necessarily compromised and threatened by its "other." Such constitutive alterity answers to an essential corruptibility, which undercuts all ethico-theoretical decisions of how things ought to be in an ideal world.11

#### Any Obligation is *Inherently Discrimination* - The Affs Decision to Help One group Automatically ignores another - We have to Make *Difficult Decisions* About How to Respond

Martin Hägglund, PhD Candidate in Comp. Lit @ Cornell, ‘4 [*Diacritics*, “The Necessity of Discrimination: Disjoining Derrida and Levinas,” p. muse]

For the same reason, Derrida's notion of "infinite responsibility" should not be conflated with Levinas's. For Derrida, the infinitude of responsibility answers to the fact that responsibility always takes place in relation to a negative infinity of others. The negative infinity of responsibility is both spatial (innumerable finite others that exceed my horizon) and temporal (innumerable times past and to come that exceed my horizon). Far from confirming Levinas's sense of responsibility, the negative infinity of others is fatal for his notion of an originary encounter that would give ethics the status of "first philosophy" and be the guiding principle for a metaphysical "goodness." Even if it were possible to sacrifice yourself completely to another, to devote all your forces to the one who is encountered face-to-face, it would mean that you had disregarded or denied all the others who demanded your attention or needed your help. For there are always more than two, as Richard Beardsworth has aptly put it [137]. Whenever I turn toward another I turn away from yet another, and thus exercise discrimination**.** As Derrida points out in The Gift of Death, "I cannot respond to the call, the demand, the obligation, or even the love of another without sacrificing the other other, the other others" [68]. Consequently, Derrida emphasizes that the concept of responsibility lends itself a priori to "scandal and aporia" [68]. There are potentially an endless number of others to consider, and one cannot take any responsibility without excluding some others in favor of certain others. What makes it possible to be responsible is thus at the same time what makes it impossible for any responsibility to be fully responsible. Responsibility, then, is always more or less discriminating, and infinite responsibility is but another name for the necessity of discrimination. Third, there is no support in Derrida's thinking for the Levinasian distinction between ethics and politics. Critchley's claim that Derrida fails to account for the political as "conflict, and dissension on a factical or empirical terrain" is simply false, since Derrida maintains that violence is irreducible—that we are always already involved in the process of making decisions that are more or less violent. Critchley's critique is all the more misleading since it is actually he and Levinas who defend the thought of a primary "ethical experience," which would precede the conflicts they ascribe to the political. They are thus confronted with the question of how to find a "passage" from a supposedly primary "ethics" to a supposedly secondary "politics." It is in Levinas's answer to this question that Critchley thinks he has found a "way out" of what he perceives as the Derridean impasse. But in fact one can track how the Levinasian argument that Critchley adopts is a clear example of the metaphysical logic Derrida deconstructs. As we have seen, Levinas wants to promote ethics as "first philosophy" with reference to an "immediate" encounter, in which the subject is submitted to the Other as the incomparably High. This would be the de jure of ethics: its categorical imperative. However, on Levinas's own account it turns out that such an approach de facto is untenable, since the encounter between two is called into question by "the third" (le tiers), who interrupts the ethical relation and demands that we consider others than the Other. We are thus caught up in what Levinas designates as the domain of the political, where it is necessary to interrogate and calculate intersubjective relations in order to achieve social justice. Levinas's observation does not, however, entail that he renounces his notion of a singular, ethical encounter with the Other, which would precede the political. Instead, he holds that the political community should be guided by the respect for the Other, who here turns out to be no one less than God the Father, recalling us to "the human fraternity."

#### The 1AC exemplifies the compulsion to situate and contain politics within an ethical framework because politics appears to be in such bad shape, an ethical subject must shape the political by legislating ethical guidelines. Rather than universal ethics, we now feel compelled to generate ethical enclaves where judgment remains possible, thus assuring us that we are capable of limited ethical conduct with universal impact. The 1AC’s story of ethical decision-making is nothing but efficiency in the name of ethics – re-packaging complexity in terms of simply making the obviously correct ethical choice.

David Simpson, English @ UC Davis, 2002, Situatedness, or Why We Keep Saying Where We’re Coming From, p218-221.

The Persistence of Ethics The assertions of belonging that inform declarations of situatedness can then be read partly as wish fulfillments—for how else could their reiteration be so effectively ensured? Michael Sandel has specified the potential of the “multiply-situated” selves that he sees us to be to collapse into “formless, protean, storyless selves, unable to weave the various strands of their identity into a coherent whole” (Democracy’s Discontent, p. 350). The maximizing of personal opportunities for some is shadowed by the melancholy of a lost or vanishing community even among those able to profit from flexible subjectification procedures, Others are presumably consigned to pure insecurity or to the imagined consolations of residual traditional groups of the sort that tend to go by the name of communities. Such groups as we do belong to or affiliate with are themselves insecure both as experienced and in their relation to anything identifiable as a general history. Lukács may have been one of the last to believe that the “self-understanding” of a group, which was in this case a class, the proletariat, could also be “simultaneously the objective understanding of the nature of society,” so that all conscious furtherance of class-specific aims was also the truth of history (History and Class Consciousness, p.149), A more common contemporary experience is the declaration of group interests as , . . group interests, and those of groups to which one only partly or temporarily belongs anyway. So the de-bate over the feminist “standpoint epistemology” that was derived from Lukács rapidly acknowledged the problem of there being no visibly coherent groups, or too many of them, to belong to.20 Postmodern theory can sometimes declare itself comfortable enough with the predicament of fractured identity as itself a source of knowledge and oppositional energy, making a virtue of the condition that so concerns Michael Sandel. But there are still many of us who punctuate the narrative with regular declarations of situatedness, obeying an ethical mandate not to be a mere individual by way of a hoped-for connection with some interpersonal or impersonal identity-forming principle. Which leads us, at last, to the matter of ethics, and to a discussion I have withheld until now. What is at work in these assertions of the determining power of situatedness - positive for Benhabigb and Sandel, and also for Hollinger when rendered subject to revocable consent - seems to be an instance of what Glen Newey has described as “the major project in modern liberalism... to use ethics to contain the political.”21 What is actually going on in these addresses to the current condition, in other words, is an ethics, or an exhortation to certain sorts of ethical behavior, largely on the part of individuals. What is being said is not that I am in some clearly explicable sense situated here or there or then or now, but that I should or should not be so situated, in order to authorize what I am saying as the property of something beyond just myself. And that in being thus situated I am not responsible for what I am saying or doing; the responsibility is collective. And that in challenging or denying me in what I affirm or desire, you are opposing not just me but a group that I represent, which is an unethical thing for you to do. The claims and assumptions are muddled, even to the point of appearing by some definitions quite unethical (for this is hardly the Kantian subject doing rigorous justice on itself): notice that it is mostly a virtue to situate oneself but a sort of diminishment or accusation to ask someone else to do the same. But it is ethical argument that often pops up to fill the space abandoned by epistemology: what we cannot know for sure is supplanted by what we ought to be or do. So in the Goldhagen case the central hypothesis is about choice: how the Germans could have refused (without fear of reprisal) to kill Jews, but killed them anyway. In the exposition of the history standards, the gaps in our knowledge that come from the sheer proliferation of possible knowledges are filled by encouraging students to make moral choices. The scientism elite Bell Curve hardly conceals its address to the question of whether we should be in the business of maintaining (racial) preferences. And the Littleton summit and its ongoing rehearsal have a good deal to do with what we call in the last commonplace instance family values and community standards. his for good reasons that Alain Touraine has characterized on as giving up on “scientism” in favor of a “return to moralism.”.22 Touraine himself seems quite happy with this. Notwithstanding his rigorous critique of identity crisis as a social-historical phenomenon, it is to another such category, that of the creative subject, to which he turns for solace: “If we are to defend democracy, we must reenter our social and political life on the personal subject... hence the growing importance of ethics, which is a secularized form of the appeal to the subject.”23 It is now twenty years since Fredric Jameson wrote about ethics as a “historically outmoded system of positioning the individual subject” and as “the sign of an intent to mystify” by way of the “comfortable simplifications of a binary myth.”24 These remarks are even more timely now than when they were first recorded, and Jameson himself has again recently reminded us that ethical speculation is “irredeemably locked into categories of the individual” and that “the situations in which it seems to hold sway are necessarily those of homogeneous relationships within a single class.”25 This need not be always and in principle the case, and one would hardly wish to discourage attention to questions that are ethical in the broadest sense; questions about how one should act, how one might best live one’s life, how one might limit the damages one does to others. But my very use of the impersonal pronoun here indicates the problem: that ethics for most of us most of the time means subjective meditation.26 The return to or persistence of ethics is a form of what Jameson has called “pastiche,” which is “the blank and non-parodic reprise of older discourse and older conceptuality, the performing of the older philosophical moves as though they still had a content... the ritual resolution of problems that have themselves long since become simulacra, the somnambulistic speech of a subject long since extinct” (p. 99). This could be said too of the “problem” of the subject that the rhetoric of situatedness is designed both to repackage and to “resolve.” Those of us in the habit of situating ourselves on a regular basis might stop to investigate the peculiar feeling of virtue we have as we do so, and ponder whether we have deserved it by any active connection with anything (some of us of course can pass this test, but not all of us). Niklas Luhmann has written of the tendency whereby ethical prescriptions apply to others rather than to oneself: “One can formally subject oneself to them, but self-application is not an option because of the lack of any consequential authority for action.” He sees them as symptoms of an “irritation” in the social sphere that can only take the form of pure “communication” (Observations on Modernity, p. 78). In its turning from “cognitive to normative” ethics then becomes itself “an unethical kind of doping” (pp. 91, 94) whereby one confesses one’s own limits - itself a form of authority (“Let me tell you where I am coming from”) - only in order to expose everyone else’s. The imperative to situate oneself is perceived as ethical even as (or perhaps because) it is usually devoid of critical content and without consequences beyond the moment of utterance. Meanwhile the ethics of situatedness promises to restore to the individual a satisfaction that in its profound oneliness it can no longer derive from the metaphysics of individuality itself.

### 2NC Drones DA

#### They decapitated people for singing and dancing

ABC 12

“Taliban Behead 17 for Singing and Dancing”, http://abcnews.go.com/International/taliban-behead-17-singing-dancing/story?id=17084797

The Taliban beheaded 17 people, including two women, for attending a mixed-gender party where there was music and dancing, Afghan officials reported today.

The decapitated bodies were abandoned at a roadside in southern Afghanistan, according to Mullah Sharafuddin, the governor of Kajaki district in Helmand province. All 17 bodies, including those of two women, were decapitated, but it was not clear if they had been shot first. Afghan President Hamid Karzai denounced that killings as an "inhuman act and against all Islamic principals." During Taliban rule, most types of music were made illegal, and anyone caught attending a mixed-gender party faced stiff punishment, including death in the most extreme cases.

#### They killed a boy for ‘spying’ when he was really just gathering food

BBC 13

“Afghan Taliban 'behead two boys in Kandahar'”, http://www.bbc.co.uk/news/22842512

The Taliban have beheaded two boys for spying in the southern Afghan province of Kandahar, officials say. The boys, 10 and 16, had been scavenging for food in bins near police headquarters when they were abducted. They are thought to have regularly accepted food handouts from police. Analysts say the Taliban are known to target those suspected of colluding with police. But the Taliban have denied responsibility in this incident. Spokesman Qari Yousef Ahmadi insisted to the BBC the group had not beheaded any children in the area. Food for family Kandahar's governor, however, condemned the acts as inhumane and un-Islamic and the provincial government has pinned the blame firmly on the militants. Although the boys were abducted on Sunday, their bodies were only recovered on Monday morning in Kandahar's Zhari district. News first emerged of the 10-year-old's death and later on Monday the Kandahar provincial government office confirmed that a second boy had also been beheaded. The 10-year-old boy was very poor and was known to take food going spare from the police to take home to his family, says the BBC's Mahfouz Zubaide in Kabul. Both boys may have gone through bins outside police and Isaf headquarters to find unused and expired packages of food, he adds.

#### Survey of local populations show people prefer drone strikes to the Taliban

Reuters 12

Myra MacDonald, journalist for Reuters on France, Egypt, the European Union and South Asia, and author of "Heights of Madness", a book about the Siachen war between India and Pakistan, 6/7/12, “FATA is not a country in Africa”, http://blogs.reuters.com/pakistan/2012/06/07/fata-is-not-a-country-in-africa/ //jchen

FATA SURVEY

There is not, however, any excuse for the rest of us to refuse to try to learn. Yes, it is hard for outsiders to travel to FATA, except on day trips with the Pakistan Army (I have been only once, to Bajaur, and was struck by how different it looked to my own mental images.) But try going on Twitter and typing anything with the hashtag #drones, and you are likely to get a huge range of different opinions, both from Pashtun inside Pakistan and in the diaspora. When I tweeted a link to an article in the Daily Times by Muhammad Zubair suggesting that the people in Waziristan were less opposed to drone strikes than is commonly believed, it began a two-hour debate – my argument was that by focusing almost exclusively on drones we ignored the need to look at the broader problems in FATA, from its political exclusion to its use as a sanctuary for Islamist militants.

Two people recommended reading a survey, published in February, on the attitudes of people in FATA. Surveys in conflict zones are tricky, since we know people are less likely to risk telling the truth. But it provides useful data to act as a benchmark against some of the wilder propaganda. The findings are contradictory in parts, and it would be too easy to quote selectively to back up a predetermined position, so I would recommend reading it in full.

But there are a few threads worth pursuing. Drone strikes are unpopular, as we would expect. But contrary to the dominant narrative, tolerance for drones – though still low - actually increases, for example in North Waziristan, in the very same areas where these missile strikes are most frequent. Remember, these are the people who know best whether drone strikes are precise or cause many civilian casualties; they are also the ones who are best placed to judge the trade-off between drone strikes, Pakistan military operations and life under Taliban rule.

The biggest threat people see to their security, according to the survey, comes from terrorist attacks rather than drone strikes. And contrary to assertions that drones are encouraging the creation of terrorist safe havens, a large majority said they wanted all Islamist fighters – foreign fighters and Afghan and Pakistani Taliban – out.

And here’s the important finding. Drone strikes do not dominate the thinking of the people of FATA in the way that the polemicists would have you believe. While outsiders obsess about the legality of drones, the people of FATA talk about access to education and healthcare. (Seriously, that should not be difficult to understand. Do I think drones breach Pakistani sovereignty? Does my child have access to a good education? Which matters to me most? If we don’t know the answer to that, we really have lost the plot.)

#### Even if recruits increase, they’re inexperienced – stopping strikes gives them a chance to learn

Byman 06

Daniel Byman, professor in the Security Studies Program in the Edmund A. Walsh School of Foreign Service @ Georgetown University, Senior Fellow at Brookings Institution, “Do Targeted Killings Work?”, Foreign Affairs, Vol. 85 No. 2, Mar-Apr 2006, 95-111 //jchen

Something more than correlation was at work here. Contrary to popular myth, the number of skilled terrorists is quite limited. Bomb makers, terrorism trainers, forgers, recruiters, and terrorist leaders are scarce; they need many months, if not years, to gain enough expertise to be effective. When these individuals are arrested or killed, their organizations are disrupted. **The groups may still be able to attract recruits, but lacking expertise, these new recruits will not pose the same kind of threat.**

To achieve such an effect on a terrorist group requires a rapid pace of attacks against it. The contrast between the Israeli campaign against Hezbollah in the 198os and that against Hamas and other groups more recently highlights this point. Although Israel killed several Hezbollah leaders after its invasion of Lebanon in 1982, it did so at an almost desultory pace. Potential targets thus did not have to worry constantly about hiding from Israeli strikes, and when members were killed, Hezbollah had time to fully train replacements. Recently, however, in response to Israel's stepped-up campaign, Hamas and other Palestinian groups have found it difficult to replace their lost cadres with equally skilled substitutes . Frequent targeted killings also force surviving terrorists to spend more and more of their time protecting themselves. To avoid elimination, the terrorists must constantly change locations, keep those locations secret, and keep their heads down, all of which reduces the flow of information in their organization and makes internal communications problematic and dangerous.

#### Statistics disprove blowback

Johnston 12

Patrick B. Johnston, Associate Political Scientist at the RAND Corporation. He wrote this article while he was a fellow at the Center for International Security and Cooperation and the Empirical Studies of Conflict Project at Stanford University and at the International Security Program at Harvard Kennedy School’s Belfer Center for Science and International Affairs, “Does Decapitation Work? Assessing the Effectiveness of Leadership Targeting in Counterinsurgency Campaigns”, International Security, Vol. 36, No. 4 (Spring 2012), pp. 47–79 //jchen

The results strongly suggest that successful leadership removals, not blowback from failed attempts, drive the overall effect of leadership decapitation. The results are displayed in table 5. For both successful and unsuccessful decapitation attempts, the results are similar across the matched and unmatched samples and are robust to the inclusion of axed effects and controls. Confidence in the findings is enhanced by the fact that the point estimates for successful leadership removals shown in table 5 are consistent with those displayed in table 3, which used exogenous variation in attempt outcomes to examine whether the correlation between successful attempts and campaign termination and government victory differed from the correlations between failed attempts and those outcomes. Specifically, the estimated effect of successful decapitation attempts remains similar in size to the estimates shown in table 3. The coefficients presented in table 5 suggest that leadership decapitation is associated with a 28-percentage point increase in the probability of termination during the year in which the decapitation attempt occurred and a 29or 30-percentage point increase in the probability of government victory. Both of these results are significant at the 1 percent level.

There is little evidence of a “blowback effect.” As the blowback hypothesis would predict, the point estimates for failed attempts are negative, which indicates that failed attempts to capture or kill insurgent leaders may have counterproductive effects on governments’ chances of defeating insurgencies.

There is not enough evidence, however, to reject the null hypothesis—that failed decapitation operations have no overall impact on states’ chances of strategic success. Indeed, the estimated effect of failed attempts is small and far from statistically significant, with p-values that range from 0.356 to 0.788. Taken together, this evidence strongly indicates that the successful removal of insurgent leaders, not blowback from failed attempts, underlies my key findings on the effects of leadership decapitation in counterinsurgency operations.

#### Civilian deaths don’t translate to radical terrorist action

Perez 13

Michael Perez, deputy editor, 4/8/13, Islamic Monthly, “On Anti-American Sentiment”, http://www.theislamicmonthly.com/on-anti-american-sentiment/ //jchen

This is an important example that gets at the heart of the problem of misrecognition. In the caption, anti-Americanism is linked with drone strikes. On the surface this may seem like a straightforward observation: U.S. drone strikes lead people in Pakistan to hate America. And why not? Surely some people in Pakistan whose suffering under drone attacks has led them to dislike the United States as a whole. Americans and U.S. policy, in this case, are perceived as one and the same.

But moving beyond the surface, there is a deeper problem with such simple characterizations. Consider again the idea that anti-Americanism is spreading in Pakistan as a result of U.S. drone attacks. We can start by asking what kind of anti-American sentiment is at work. Is it the kind a Pakistani mother might feel when she learned that her child was “collateral damage” in a local strike? Or is it the kind a Taliban fighter might hold while waging his war against U.S. forces in Afghanistan? The two sentiments here are quite distinct: the former linked to individual grief and the latter an expression of a soldier at war. Without clarifying the differences we run the risk of misrecognizing what’s taking place on the ground. We may thus conclude that the realities of war for the individuals who live its terror matter only insofar as they lead to some kind of sentiment that the media can describe as a single thing: anti-Americanism.

#### Enforcing counterterrorism as police action ensures more ground forces

MARK BOWDEN 8/14/13 (national correspondent for The Atlantic, graduate of Loyola University Maryland, where he also taught from 2001-2010. A reporter and columnist for The Philadelphia Inquirer for more than 30 years, Bowden is now an adjunct professor at The University of Delaware, the atlantic, "The Killing Machines" http://www.theatlantic.com/magazine/archive/2013/09/the-killing-machines-how-to-think-about-drones/309434/3/)

Once the pursuit of al-Qaeda is defined as “law enforcement,” ground assaults may be the only acceptable tactic under international law. A criminal must be given the opportunity to surrender, and if he refuses, efforts must be made to arrest him. Mary Ellen O’Connell believes the Abbottabad raid was an example of how things should work.

“It came as close to what we are permitted to do under international law as you can get,” she said. “John Brennan came out right after the killing and said the seals were under orders to attempt to capture bin Laden, and if he resisted or if their own lives were endangered, then they could use the force that was necessary. They did not use a drone. They did not drop a bomb. They did not fire a missile.”

Force in such operations is justified only if the suspect resists arrest—and even then, his escape is preferable to harming innocent bystanders. These are the rules that govern police, as opposed to warriors. Yet the enemies we face will not change if the war on terror ends. The worst of them—the ones we most need to stop—are determined suicidal killers and hardened fighters. Since there is no such thing as global police, any force employed would likely still come from, in most cases, American special-ops units. They are very good at what they do—but under law-enforcement rules, a lot more people, both soldiers and civilians, are likely to be killed.

It would be wise to consider how bloody such operations can be. When Obama chose the riskiest available option for getting bin Laden in Abbottabad—a special-ops raid—he did so not out of a desire to conform to international law but because that option allowed the possibility of taking bin Laden alive and, probably more important, because if bin Laden was killed in a ground assault, his death could be proved. The raid went well. But what if the seal raiding party had tripped Pakistan’s air defenses, or if it had been confronted by police or army units on the ground? American troops and planes stood ready in Afghanistan to respond if that happened. Such a clash would likely have killed many Pakistanis and Americans, and left the countries at loggerheads, if not literally at war.

There’s another example of a law-enforcement-style raid that conforms to the model that O’Connell and other drone critics prefer: the October 1993 Delta Force raid in Mogadishu, which I wrote about in the book Black Hawk Down. The objective, which was achieved, was to swoop in and arrest Omar Salad and Mohamed Hassan Awale, two top lieutenants of the outlaw clan leader Mohammed Farrah Aidid. As the arrests were being made, the raiding party of Delta Force operators and U.S. Army rangers came under heavy fire from local supporters of the clan leader. Two Black Hawk helicopters were shot down and crashed into the city. We were not officially at war with Somalia, but the ensuing firefight left 18 Americans dead and killed an estimated 500 to 1,000 Somalis—a number comparable to the total civilian deaths from all drone strikes in Pakistan from 2004 through the first half of 2013, according to the Bureau of Investigative Journalists’ estimates.

The Somalia example is an extreme one. But the battle that erupted in Mogadishu strikes me as a fair reminder of what can happen to even a very skillful raiding party. Few of the terrorists we target will go quietly. Knowing they are targets, they will surely seek out terrain hostile to an American or UN force. Choosing police action over drone strikes may feel like taking the moral high ground. But if a raid is likely to provoke a firefight, then choosing a drone shot not only might pass legal muster (UN rules allow lethal force “when strictly unavoidable in order to protect life”) but also might be the more moral choice.